

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

IN RE:

DONALD W. WYATT DETENTION
FACILITY

20-mc-00004

STATUS REPORT (APRIL 23, 2020)

Detainees at the Facility	TOTAL: (% capacity)	581 75%
	USMS	489
	ICE	81
	Navy, Tribal, BOP	11

Cumulative number of detainees tested	TOTAL:	68
	Negative tests	2
	Pending tests	65
	Positive tests	1

Cumulative number of staff tested (as self-reported by staff)	TOTAL:	26
	Negative tests	20
	Pending tests	6
	Positive tests	0

All efforts undertaken to mitigate the spread of COVID-19	See Attachment	A
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All efforts undertaken to mitigate the spread of COVID-19 in light of a positive test	See Attachments	A & C
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Protocols for screening and testing of detainees, staff, and others entering or leaving the Facility	See Attachments	A & B
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Changes from Attachment A on prior Status Report, if any	See Attachment	C
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Respectfully Submitted,

/s/ Daniel W. Martin

Daniel W. Martin, Warden, Donald W. Wyatt
Detention Facility

ATTACHMENT A
(Facility's Mitigation Efforts and Plan)

**EFFORTS BY THE DONALD W. WYATT DETENTION FACILITY TO
MITIGATE AND ADDRESS THE EFFECTS OF THE
CORONAVIRUS PANDEMIC**

Introduction

1. With the onset of the current pandemic, the Facility and its staff have been working around-the-clock to ensure that any threats posed by the coronavirus/COVID-19 pandemic are mitigated to the maximum extent possible.
2. Within the thirty-day period of March 20, 2020 to April 20, 2020, the Facility's overall population has fallen from 707 to 586 detainees (i.e., a drop of 121 detainees in one month).
3. The Facility relies on and routinely refers to the guidelines issued by the Centers for Disease Control and Prevention (CDC) for correctional and detention facilities.

Specific Steps

4. The Facility has implemented strict protocols and undertaken extensive steps to minimize the threat of the coronavirus within the Facility, including, but not limited to:
 - a. Directing detainees to socially distance themselves by, among other things, sitting one to two detainees at a four-person table during any non-lockdown mealtimes, providing guidance to avoid congregating in groups, permitting detainees to access the recreation yard attached to their unit on non-lockdown times, and reassigning detainees to available cells so as to further increase social distancing within the cells;
 - b. Communicating with the United States Marshals Service, ICE, and Bureau of Prisons to minimize sending potential detainees who exhibit COVID-19 symptoms;
 - c. Increasing mental health rounds throughout the Facility;

- d. Ensuring 24/7 on-site presence of nursing staff;
- e. Ensuring that our transportation staff communicates in real time with the Facility regarding the detainees' conditions who are arriving at the Facility and to isolate any incoming symptomatic detainees as much as possible;
- f. Medically screening new detainees for COVID-19 symptoms;
- g. Establishing a quarantine plan (described below) under the supervision and guidance of the Facility's medical director;
- h. Prohibiting staff from working who are experiencing any COVID-19 related symptoms, and to report any such symptoms immediately before self-isolating themselves and seeking medical attention;
- i. Requiring staff who have COVID-19 related symptoms to self-quarantine for 14 days and obtain clearance from their medical provider before returning to the Facility;
- j. Encouraging staff to follow the Governor's executive orders by minimizing their time outside of their homes so as to reduce their risks of exposure to the coronavirus;
- k. Encouraging staff to cease unnecessary physical contact such as handshakes, hugs, etc.;
- l. Implementing an enhanced cleaning protocol throughout the Facility;
- m. Providing additional soap, cleaning materials, and sanitizers throughout the Facility for use by detainees and staff;
- n. Cleaning frequently throughout the day and disinfecting tables, chairs, handrails, phone handsets, and other high-touch areas;

- o. Creating an additional night-time cleaning detail to clean and disinfect showers and other common areas with a bleach and water solution;
- p. Temporarily suspending physical visitation to the Facility by family members, attorneys, and other visitors to protect the detainees and their family members during this phase of the pandemic;
- q. Screening and limiting vendors and contractors to only those personnel and visits necessary to ensure continuity of operations, such as HVAC vendors and essential deliveries (i.e., medical, food, cleaning supplies, commissary, etc.);
- r. Screening vendors and contractors who must enter the Facility for COVID-19 related symptoms and denying entry to any individuals who exhibit such symptoms. This screening consists of a temperature check and answering screening questions regarding potential exposure and risks to the Facility;
- s. Increasing the use of audio and video conferencing services for court appearances and other visits traditionally held in-person, such as between detainees and their attorneys;
- t. Increasing the number of free phone calls that detainees may make each week;
- u. Restricting and minimizing staff members' physical contact with each other and interactions to the maximum extent possible;
- v. Providing bilingual instruction and guidance to detainees and staff regarding the critical needs to observe strict personal hygiene such as frequent hand-washing, avoiding touching facial areas, maintaining social distancing as much as possible, and promptly reporting any symptoms consistent with COVID-19;

- w. Suspending Facility programs until further notice and working to replace those programs with alternative activities;
- x. Holding town hall-style meetings led by me and the Facility's medical director with the detainees to explain the Facility's efforts, plans, and to assure them that the Facility is working diligently to reduce COVID-19 related risks. At these meetings, detainees requested more soap and personal hygiene products (which were provided), a reduced rate for paid phone calls (which was provided for domestic calls), and more access to Personal Protection Equipment (PPE) such as gloves and procedural masks (which the Facility has provided);
- y. Suspending the Facility's dental program and barber shop until further notice;
- z. Expediting the creation of a negative-pressure isolation and quarantine unit;
 - aa. Obtaining COVID-19 testing kits from the Rhode Island Department of Health (RIDOH) to have on-hand;
 - bb. Communicating daily with RIDOH regarding the status of the pandemic, testing protocols and timeframes, and the progression of the disease through the state; and
 - cc. Replacing the currently-suspended in-person religious services with weekly rounds by the Facility's religious coordinator.

Quarantine Procedures

5. After consultation with RIDOH, on April 22, 2020, the Facility implemented a 16-day quarantine process for new detainees, as follows:

- a. The Facility uses Pod J-1 ("J-1") as the intake pod for all new detainees from the United States Marshals Service, ICE, the Federal Bureau of Prisons, and the United States Navy;

- b. J-1 is a separate and smaller unit within the Facility. It can house 48 detainees, and currently is at 50% capacity with approximately 24 detainees in that unit;
- c. The Facility selected J-1 as the most appropriate space for quarantine given its size, layout, and location within the Facility;
- d. The Facility uses J-1 as an initial intake holding pod to assess and clear detainees before releasing them into the general population;
- e. Although the Facility currently has two medical isolation units which are negatively pressured, the Facility's HVAC contractor has successfully completed work to turn the entire J-1 pod (48 beds) into a negative pressure isolation unit.;
- f. The Facility screens new detainees by asking them questions regarding their travel history, contact with potential COVID-19 positive individuals, and other risk and exposure factors;
- g. All detainees arriving to J-1 are medically screened upon their arrival and locked down for sixteen days;
- h. This lockdown consists of being isolated into a single-person cell and separated from all other interaction with detainees in J-1. Quarantined detainees are permitted to leave their quarantine cells alone up to one hour per day to shower, recreate, and to make one phone call;
- i. Detainees in J-1 are monitored and medically screened daily, and mental health unit staff check in with the J-1 detainees every day the staff are onsite;
- j. During this sixteen-day period, detainees are instructed to self-report any symptoms;

- k. Then, after sixteen days in J-1, detainees are once again medically screened for COVID-19 related symptoms and if they are medically cleared, then they are assigned to another housing unit in the Facility's general population;
- l. Any detainee who refuses medical screening is not moved to general population but is instead issued a disciplinary ticket and placed into segregation; and
- m. To date, no detainee has refused COVID-19 related medical screening.

Protocols in the event of a confirmed COVID-19 case

- 6. Every day, the Facility reports via email to the governmental entities who entrust their detainees to the Facility's care the status of COVID-19 within its population.
- 7. If a detainee tests positive for COVID-19, the Facility has a plan in place to address that situation using all precautions necessary throughout this process. The Facility will:¹
 - a. Isolate the detainee in the medical isolation/negative pressure unit,² give the detainee a mask to wear, and further medically evaluate the detainee;
 - b. Interview the detainee to determine the nature and extent of their symptoms, the date of their onset, who they recently came into close contact with (i.e., contact tracing, as defined by the CDC), what areas they may have touched, and other specific facts to assess the detainee's condition and their potential impact on staff and other detainees within the Facility;

¹ It is difficult to lay out every single step the Facility will take if it has a positive case because of the number of action items that will be required, the exigencies of the situation, and the need to be flexible and adapt to every situation's unique needs. But, nonetheless, this document provides the framework and parameters that will guide the Facility's action.

² A negative pressure environment reduces air pressure so that outside air can be brought into the segregated environment. The goal of this environment is to trap and keep potentially harmful particles within the negative pressure room by preventing internal air from leaving that space.

- c. Clean and sanitize any areas identified as part of this interview that need to be addressed;
- d. Interview other detainees who were identified during the contact tracing process;
- e. Secure and isolate the detainee's unit and limit access by staff to those staff necessary and with appropriate protections (masks, gloves, etc.), inform other detainees in the affected unit of the positive case, instruct them to wear masks when outside their cells, remind them to report any symptoms immediately, remind them of the importance of personal hygiene and social distancing, and medically screen them twice per day;
- f. Order a COVID-19 test for any detainee who presents with symptoms necessitating such a test and any detainee whom RIDOH believes based upon contact tracing and exposure should be tested; and
- g. Notify all necessary parties and agencies, including, but not limited to, RIDOH, the Facility's staff, and its user agencies.

8. The Facility has several contingency plans in place if it experiences multiple COVID-19 cases. For example, the Facility can handle up to two cases within its health services unit. But, if the number of cases increases, the Facility is prepared to use F-pod which is currently empty and has 16 cells. If necessary, the Facility can also use J-1 and its 48 beds for overflow from F-pod given that J-1 is entirely negative pressured. The Facility would then assess the situation to determine the most appropriate cohorting and living arrangements depending on the specifics of each detainee's situation (i.e., comorbidities, age, risk factors, etc.)

General Facility cleaning, sanitizing, and prevention measures

9. The Facility has placed COVID-19 related signage from the CDC regarding symptoms, hygiene, and best practices throughout the Facility in English and Spanish. When the Facility holds its town-hall style meetings (including the one it recently held regarding COVID-19), translators are available to assist with any detainee needing translation to ensure the messages are received and understood by all detainees.

10. Every cell has its own sink and soap is provided to the detainees.

11. Hand sanitizing is available to the detainees upon request from staff when detainees are out of their cells.

12. The Facility is working on placing standalone sanitizer kiosks throughout the Facility's common areas for detainees to easily access. These kiosks are on order and will be installed immediately upon their arrival.

13. Cleaning chemicals in spray bottles and paper towels are available on the units throughout the day and are consistently monitored and refilled by staff when needed. When detainee workers are out of their cells and working in the pods, they are consistently spraying, wiping, and cleaning high-touch areas such as handles, railings, chairs, tables, screens, microwaves, etc. In addition, the third-shift cleaning crew (while other detainees are in their cells) performs a thorough bleach-based cleaning of each unit which takes an average of several hours each night.

14. Procedural face masks have been distributed to staff and detainees. The Facility is also working on a system to create its own cloth face coverings for distribution within the Facility.

15. Although the Facility cannot control the ingress and egress of detainees because such decisions are made by its user agencies, the Facility medically screens every detainee before release and also communicates regularly with user agencies who are sending new detainees for

intake to ensure as much as possible that no COVID-19 suspected or positive detainees are introduced into the Facility.

ATTACHMENT B
(Screening Protocols)

DETAINEES

Place Label Here

DONALD W. WYATT DETENTION FACILITY
Detainee COVID-19 SCREEN

Detainee Name (Print)		ID#	DOB
DETAINEE QUESTIONNAIRE			
1.	Fever: Onset date (/ /) Measured, highest temp: _____ Current Temp: _____	Yes	No
2.	Dry cough Onset date (/ /)	Yes	No
3.	Shortness of breath/dyspnea Onset date (/ /)	Yes	No
4.	Productive Cough Onset date (/ /)	Yes	No
5.	Sore throat Onset date (/ /)	Yes	No
6.	Headache Onset date (/ /)	Yes	No
7.	Chills Onset date (/ /)	Yes	No
8.	Muscle aches Onset date (/ /)	Yes	No
9.	Nausea/vomiting Onset date (/ /)	Yes	No
10.	Abdominal pain Onset date (/ /)	Yes	No
11.	Diarrhea Onset date (/ /)	Yes	No
12.	Runny nose/rhinorrhea Onset date (/ /)	Yes	No
TRAVEL HISTORY			
13 *	Have you been out of the continental United States (CONUS) (Lower 48) in the past 14 days? If yes: Last date outside CONUS: _____	Yes	No

14*	Have you been in close contact with a person with laboratory-confirmed 2019-novel coronavirus in the past 14 days? Last date you had contact with that person: (/ /)	Yes	No	
15	YES To #1-4, # 13 or 14: Call HSA/Designee Immediately Clinical impression patient has ILI: Call HSA/Designee Immediately	Yes	No	

DRAFT VERSION 20 April 2020

Staff Name (Print) _____ Signature _____

Date: _____ Time: _____

STAFF AND VISITORS**CENTRAL FALLS
DETENTION FACILITY CORPORATION****STAFF AND VISITOR
COVID-19 SCREENING TOOL**

Name (Print)	DOB		
PART 1			COMMENTS
	PERSON REFUSES TEMPERATURE CHECK		Person does not enter and call Shift Commander Immediately
1.	Fever: Onset date (/ /) Measured, highest temp: _____ Current Temp: _____		Yes No
2.	Do you feel feverish? (Chills, sweats etc.)		Yes No
3.	Do you have a dry cough?		Yes No
4.	Are you feeling short of breath?		Yes No
5.	Do you feel like you are ill?		Yes No
PART 2/COMPLETE IF YES TO ANY 1-5 ABOVE			COMMENTS
6.	Cough	Onset date (/ /)	Yes No
7.	Shortness of breath/dyspnea	Onset date (/ /)	Yes No
8.	Sore throat	Onset date (/ /)	Yes No
9.	Headache	Onset date (/ /)	Yes No
10.	Chills	Onset date (/ /)	Yes No
11.	Muscle aches	Onset date (/ /)	Yes No
12.	Diarrhea/Nausea/vomiting	Onset date (/ /)	Yes No
13.	Runny nose/rhinorrhea	Onset date (/ /)	Yes No
TRAVEL HISTORY			
14. *.	Have you been out of the continental United States (CONUS) (Lower 48) in the past 14 days? If yes: Last date outside CONUS: _____		Yes No
15. *.	Have you been in close contact with a person with laboratory-confirmed COVID-19 in the past 14 days? Last date you had contact with that person: (/ /)		Yes No

	<p>Body temperature at or above 99.6 degrees, and/or YES To # 1-5, 14 or 15, and/or Clinical impression patient has ILI: Person does not enter and call Shift Commander Immediately</p>			
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DRAFT VERSION 2 APRIL 2020

Staff Name (Print) _____ Signature _____

Date: _____ Time: _____

ATTACHMENT C
(Changes from last Status Report)

The following paragraphs identify and highlight key changes made to Attachment A from the last Status Report and provides additional current information.

1. ***J-1 Negative Pressurization*** – The Facility has successfully converted its 48-bed J-1 unit into one that is entirely negatively pressured. This expands the Facility's ability to isolate more detainees who may test positive for COVID-19.
2. ***Increased Quarantine Time*** – Per recent guidance from the Rhode Island Department of Health (RIDOH), the Facility implemented a 16-day quarantine for all new detainees.
3. ***Facility-wide health screening*** – On April 22, the Facility's medical staff conducted a health screening of the entire detainee population. Screening remains ongoing and continuous as part of the Facility's wellness monitoring. The Facility is also performing active daily medical screenings of all detainees housed in the units in which the positive-tested detainee was housed for any duration.
4. ***Facility-wide sanitization*** – Between April 21-22, the Facility's staff completed a thorough bleach-based sanitization of the common areas in the three locations where the COVID-19 positive detainee spent time. By the end of the day on April 22, the Facility's staff performed a similar bleach-based sanitization of the common areas of all other housing units in the Facility.
5. ***Detainee testing*** – Between April 22 and 23, the Facility performed 65 tests on detainees who were housed in the unit where the positive detainee was housed. Those test results are pending. Also, the Facility placed the cellmate of the positive detainee into negative-pressure isolation in the Health Services Unit, tested him for COVID-19 on April 22, and is monitoring him for symptoms.

6. ***Staff testing*** – The Facility is working with RIDOH to facilitate staff members getting tested at local testing sites.

7. ***Personal Protection Equipment (PPE)*** – On April 21, all detainees were given a procedural mask, gloves, and soap. They were instructed to wear the masks and gloves whenever they were outside of their cells.

8. ***Communications to detainees*** – After the Facility was placed on lockdown on April 21, the Warden updated the detainees regarding the positive COVID-19 test and what the Facility was doing in response to this development. On April 22, the Facility sent the message pasted below to all detainees. The notice below contains important measures that the Facility is taking to increase physical distancing:

Date: April 22, 2020

To: Detainee Population

From: Warden Daniel Martin

Subject: Coronavirus- Update- Active Case

All Detainees,

As most of you are aware, we have an active case of COVID 19 with a detainee in the facility. The following is ***the Quarantine Protocol*** that will need to be followed for the ***next 16 days as per*** guidance from the Department of Health to minimize the potential exposure with Staff and Detainees. Based on this the following shall occur:

- Effective today ***for the next 16 days***, the following Units will Operate on a tier flat schedule to promote social distancing- A Dorm, C, D, E, and F Pods on the Old Side. (***See the attached schedule***)

Units J-2, K, I, L, on the New Side ***for the next 16 days,*** will operate on a tier Flat to promote social distancing. ***(See the attached schedule)***

Unit workers will be allowed out with each Tier, however they MUST BE constantly cleaning. Failure to clean will result in losing your assignment and being locked in your cell.

- Effective today ***for the next 16 days,*** the following units will operate as follows:
 - B Pod- 4 cells out at a time- 1 hour intervals - 3 Workers constantly cleaning
 - H Pod – 4 cells out at a time-1 hour intervals - 3 Workers constantly cleaning
 - J-1 – 2 Cells out at a time- 1 hour intervals -2 Workers constantly cleaning
 - ***(See the attached schedule)***

ALL DETAINES MUST WEAR THEIR MASKS AND GLOVES WHILE OUTSIDE THEIR CELL

- UNIT SANTIATION WILL CONTINUE TO TAKE PLACE DURING LOCKDOWNS PERIODS AND ON 3RD SHIFT
- ***We are working with the Department of Health to facilitate testing of both Staff and Detainees that may have been infected. Detainees who refuse to be tested will be placed into Administrative Detention Status.***
- Feedings for these next 16 days will be locked down feedings.
- Schedule Legal Calls and Court hearings will still continue to take place even if you are locked down. You will be medically screen prior to these activities.
- Commissary and Fresh Favorites will continue to be delivered.
- Within the next 2 days, Each Detainee will be issued a Radio and a Deck of cards for In-cell activity.
- Within the next 2 days, Additional Board games will be introduced to the units for In-Cell activity.